

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE BAYOU HEDGE FUND INVESTMENT  
LITIGATION

06 MD 1755 (CM)

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THIS DOCUMENT RELATES TO:  
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SOUTH CHERRY STREET, LLC,

Plaintiff,

No.: 06-cv-02943 (CM)

vs.

HENNESSEE GROUP LLC,  
ELIZABETH LEE HENNESSEE and  
CHARLES GRADANTE

DECLARATION OF  
MATTHEW WOLPER

Defendants.

**Electronically Filed**


STATE OF FLORIDA                     )  
  ) ss.:  
COUNTY OF BROWARD                )

Pursuant to 28 U.S.C. § 1746(2) (2004), I declare under penalty of perjury that the foregoing is true and correct:

1. My name is Matthew Wolper. I am more than 18 years of age and understand the nature and obligation of an oath. I have personal knowledge of the facts and statements contained in this Declaration and each of them is true and correct. I am attorney representing Hennessee Group, LLC, Charles Gradante and Elizabeth Lee Hennessee in the above-referenced matter.
2. I submit this Declaration in support of the Defendants' Motion to Dismiss Amended Complaint for the purpose of attaching your honor's Memorandum Order Denying Motion by Defendants to Stay This Action and to Compel Arbitration ("Memorandum Order").
3. For the Court's convenience, the Memorandum Order is attached hereto as Exhibit D.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated herein are true.

Executed on April 6, 2007

  
Matthew Wolper